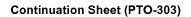
Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/561,042	NISHINO ET AL.	
Examiner	Art Unit	

	SUSANNA MOORE	1624	
The MAILING DATE of this communication appe	ars on the cover sheet with the	correspondence address	
THE REPLY FILED 28 September 2009 FAILS TO PLACE THI	S APPLICATION IN CONDITION	FOR ALLOWANCE.	
1. The reply was filed after a final rejection, but prior to or on application, applicant must timely file one of the following application in condition for allowance; (2) a Notice of Appelor Continued Examination (RCE) in compliance with 37 Coperiods:	the same day as filing a Notice of replies: (1) an amendment, affidaveal (with appeal fee) in compliance	Appeal. To avoid abandonment of thit, or other evidence, which places the with 37 CFR 41.31; or (3) a Request	ne
a) The period for reply expires 5 months from the mailing date	of the final rejection.		
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire a Examiner Note: If box 1 is checked, check either box (a) or (MONTHS OF THE FINAL REJECTION. See MPEP 706.07(the status of the status of t	dvisory Action, or (2) the date set forth ster than SIX MONTHS from the mailin b). ONLY CHECK BOX (b) WHEN THI).	g date of the final rejection. E FIRST REPLY WAS FILED WITHIN TV	wo
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of extunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL	ension and the corresponding amount hortened statutory period for reply orig than three months after the mailing da	of the fee. The appropriate extension fe inally set in the final Office action; or (2)	ee as
 The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exter Notice of Appeal has been filed, any reply must be filed with AMENIAN. 	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of the appeal. Sinc	
AMENDMENTS			
3. The proposed amendment(s) filed after a final rejection, k (a) They raise new issues that would require further cor (b) They raise the issue of new matter (see NOTE belowed)	nsideration and/or search (see NO w);	TE below);	
(c) They are not deemed to place the application in bet	er form for appeal by materially re	ducing or simplifying the issues for	
appeal; and/or (d) ☐ They present additional claims without canceling a c	corresponding number of finally rej	ected claims.	
NOTE: (See 37 CFR 1.116 and 41.33(a)).			
 The amendments are not in compliance with 37 CFR 1.12 Applicant's reply has overcome the following rejection(s): 		mpliant Amendment (PTOL-324).	
 Newly proposed or amended claim(s) would be all non-allowable claim(s). 		timely filed amendment canceling th	ie
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is prov The status of the claim(s) is (or will be) as follows:		ll be entered and an explanation of	
Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1,3,4,6 and 13.			
Claim(s) withdrawn from consideration:			
AFFIDAVIT OR OTHER EVIDENCE			
 The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e). 			d
 The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o showing a good and sufficient reasons why it is necessary 	vercome <u>all</u> rejections under apper and was not earlier presented. S	al and/or appellant fails to provide a ee 37 CFR 41.33(d)(1).	
 The affidavit or other evidence is entered. An explanation <u>REQUEST FOR RECONSIDERATION/OTHER</u> 	n of the status of the claims after e	ntry is below or attached.	
11. The request for reconsideration has been considered but	does NOT place the application in	n condition for allowance because:	
12. Note the attached Information <i>Disclosure Statement</i> (s). (13. Other:	PTO/SB/08) Paper No(s)		
	/Susanna Moore/ Examiner, Art Unit 1624		



Application No.